

Appl. No. 10/775,689

Attorney Docket No. HSJ920030091US1

**REMARKS**

Claims 1-13 are pending in the present application. Claims 1-10 were rejected. Claims 1-9 have been amended. New claims 11-13 have been added. No new matter has been added. Reconsideration of the claims is respectfully requested in light of the remarks below.

**Summary of the Interview**

Applicant would like to thank the examiner for the interview conducted on December 13, 2005. During the interview, the applicant's representative explained to the examiner that the cited prior art references Brown et al. and Hrinya et al. do not disclose or suggest writing customer data to a portion 1204 of an unused area 1201 on a hard disk, as shown in Figure 12 and described on page 9, paragraph 36 of the present application.

The examiner indicated that she believes the claims as previously written do not adequately distinguish over the cited prior art. No agreement was reached.

**Rejection of Claims 1-10**

Claims 1-10 were rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent 5,682,274 to Brown et al. in light of U.S. Patent 6,204,989 to Hrinya et al.

Claim 1 of the present application has been amended to recite "writing data tracks on the hard disk at varying distances from a center of the hard disk, so that a length of an unused area between each of the data tracks and a subsequent servo sample is substantially equal to a separation between the read element and the write element as measured along a line that is tangent to a corresponding one of the data tracks."

Neither Brown et al. nor Hrinya et al. alone or combination disclose or suggest this feature of amended claim 1. Specifically, Brown and Hrinya in combination do not suggest writing each data track so that a length of an unused area between each data track and a subsequent servo sample is substantially equal to a separation between the read element and the write element, as measured along a line tangent to a corresponding data track.

The offsets shown in Figure 4 of Hrinya et al. does not refer to an offset between a read element and a write element of a read/write head. Hrinya et al. discloses that "along a first track (track x) there is a first offset (offset<sub>x</sub>) and along a second track (track y) there is a second

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offset (offset<sub>y</sub>) between the radially aligned [servo sectors] (RSS) and curvilinear servo sectors (CSS)." See Hrinya et al. at col. 6, lines 55-59.

Support for the amendments to claim 1 can be found in the present application, for example, in Figures 5A-5B and at page 6, paragraph 27 – page 7, paragraph 29. Support for the amendment can also be found in the present application in Figure 12 and at page 9, paragraph 36.

For at least these reasons, amended claim 1 and its dependent claims are novel and nonobvious over the combination of Brown et al. and Hrinya et al. Amended claims 5 and 9, as well as their dependent claims, are allowable for similar reasons.

#### New Claims 11-13

Brown and Hrinya in combination do not disclose or suggest "writing data tracks on the hard disk so that edges of the data tracks form a radius of curvature that is smaller than a radius of curvature formed by edges of the subsequent servo samples", as recited in new claim 11. Support for new claims 11-13 can be found in Figure 12, as shown by the two curved edges of unused area 1201.

#### CONCLUSION

Applicant believes of the pending claims are now in a condition for allowance. The Examiner can contact the applicant's representative at 650-242-8300.

Respectfully submitted,

  
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